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**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)	
)	
The Wireless Bureau Seeks Comment)	DA 98-1687
on July 31, 1998 Letter from Personal)	
Communications Industry Association)	
Proposing Streamlining of Wireless)	
Regulations)	
Biennial Regulatory Review --)	WT Docket No. 98-20
Amendment of Parts 0, 1, 13, 22, 24,)	
26, 27, 80, 87, 90, 95, 97, and 101 of)	
Commission's Rules to Facilitate the)	
Development and Use of the Universal)	
Licensing System in the Wireless)	
Telecommunications Services)	
Forbearance From Applying Provisions)	WT Docket No. 98-100
Of the Communications Act to Wireless)	
Telecommunications Carriers)	

COMMENTS OF GTE

GTE Service Corporation and its affiliated domestic telephone operating, wireless, and long distance companies¹ (collectively, "GTE") respectfully submit these comments in response to the July 31, 1998 letter from the Personal Communications

¹ These comments are filed on behalf of GTE's affiliated domestic telephone operating companies, GTE Wireless Incorporated, and GTE Communications Corporation, Long Distance Division. GTE's domestic telephone operating companies are: GTE Alaska Incorporated, GTE Arkansas Incorporated, GTE California Incorporated, GTE Florida Incorporated, GTE Hawaiian Telephone Company Incorporated, The Micronesian Telecommunications Corporation, GTE Midwest Incorporated, GTE North Incorporated, GTE Northwest Incorporated, GTE South Incorporated, GTE Southwest Incorporated, Contel of Minnesota, Inc., and Contel of the South, Inc.

Industry Association ("PCIA") to the Federal Communications Commission ("FCC" or Commission), proposing streamlining of wireless regulations.²

The PCIA identifies three categories of regulations that it regards as administratively unnecessary: (1) regulations that have been the subject of comment in the Commission's Universal Licensing System ("ULS") rulemaking; (2) other regulations that PCIA contends could be eliminated or modified by the Commission without the need for prior notice and comment; and (3) regulations that PCIA believes should be eliminated or modified but that may require notice and comment.

GTE supports the PCIA Letter and urges the Commission to take action to implement the proposals raised therein. GTE also believes the Commission should act immediately to resolve the other open proceedings considering regulatory forbearance and/or the streamlining of unnecessary regulations. Finally, GTE urges the Commission to ensure that any action taken to streamline or forbear from applying FCC Rules applies equally to all competing services and service providers.

I. DISCUSSION

A. GTE concurs with the PCIA's proposals for streamlining wireless regulations.

The PCIA Letter proposes to eliminate or revise 71 regulations affecting wireless carriers that the PCIA considers administratively unnecessary. The PCIA notes that the regulations it proposes to eliminate or modify do not include regulations governing

² Letter from Mary McDermott, Senior Vice President & Chief of Staff, Government Relations, Personal Communications Industry Association, to Daniel B. Phythyon, Chief, Wireless Telecommunications Bureau, FCC, dated July 31, 1998 ("PCIA Letter").

competitive bidding procedures, interference/equipment restrictions, and coverage/construction requirements. As such, it contends that the proposed changes will be noncontroversial. Indeed, of the 71 proposed changes, the PCIA believes that only 29 may require notice and comment prior to the final Commission action.³

GTE has reviewed the lists of regulatory requirements the PCIA proposes to have eliminated or modified. Many of the proposals ask for the elimination or modification of reporting requirements. These requirements, in GTE's opinion, serve only to increase administrative regulatory costs for both the carriers and the FCC. Other requirements, in particular those that PCIA indicates may require notice and comment prior to final Commission action, likewise are shown by PCIA to be outdated, unnecessary, or both.

Based on its review and assessment of the listed regulations, GTE agrees with PCIA that continuing to enforce the requirements does little to serve the public interest. GTE therefore urges the FCC to consider PCIA's proposals and move expeditiously to eliminate or modify the listed regulations.

B. GTE believes the Commission should act quickly to decide pending forbearance petitions and act on pending streamlining requests.

GTE believes it is extremely important the Commission fulfill the deregulatory mandates of the 1993 and the 1996 amendments to the Communications Act. The industry has repeatedly asked the FCC to invoke its Section 10 forbearance authority

³ PCIA Letter, Introduction to Appendices

and/or fulfill its Section 11 streamlining obligation to reduce unnecessary regulations.⁴ The industry has shown in these proceedings that competition among wireless providers is thriving, obviating the need for heavy-handed FCC regulation. Yet, in the majority of pending proceedings considering forbearance and/or streamlining, the Commission has failed to take meaningful action to reduce the level of regulation placed upon the industry.

For example, in recent comments filed with the FCC, Bell Atlantic stated that proceedings for forbearance appear to be "languishing". It noted that forbearance petitions for rate integration, wireless number portability, and CPNI rules are still open.⁵ Moreover, the Commission's recent actions on TOCSIA provided only limited forbearance, and left many items unresolved.⁶ In addition, GTE notes that many of the items listed in the PCIA's letter are currently being considered in other open FCC Dockets.

⁴ 47 U.S.C. §§ 160, 161.

⁵ Forbearance From Applying Provisions of the Communications Act to Wireless Telecommunications Carriers, WT Docket No. 98-100, Comments of Bell Atlantic Mobile, Inc., filed August 18, 1998, at 11-12

⁶ Personal Communications Industry Association's Broadband Personal Communications Alliance's Petition for Forbearance For Broadband Personal Communications Services; Biennial Regulatory Review – Elimination or Streamlining on Unnecessary and Obsolete CMRS Regulations; Forbearance from Applying Provisions of the Communications Act to Wireless Telecommunications Carriers, WT Docket No. 98-100; Further Forbearance from Title II Regulation for Certain Types of Commercial Mobile Radio Service Providers, GN Docket No. 91-33; GTE Petition for Reconsideration or Waiver of a Declaratory Ruling, MSD -92-14; *Memorandum Opinion and Order and Notice of Proposed Rulemaking*, FCC 98-134 (released July 2, 1998).

The industry, in general, and wireless carriers, in particular, are getting increasingly frustrated with the Commission's unwillingness to invoke its Section 10 and Section 11 authority to bring about any meaningful change in the Commission's system of regulating common carriers. To remedy this situation, GTE urges the Commission to act quickly to adopt the recommendations made in the PCIA Letter and to resolve all pending Section 10 and Section 11 proceedings.

C. The Commission must uphold the notion of regulatory parity in exercising its forbearance authority and in streamlining its rules.

When the Commission does act on the PCIA Letter and other pending forbearance and streamlining requests, GTE is concerned that Commission do so in a manner that will not bestow a competitive advantage on any particular carrier or class of carrier. GTE notes that various past proposals have been addressed only to a segment of the CMRS market. For example, the PCIA petition for forbearance that ultimately resulted in the Commission's WT 98-100 Docket requested forbearance only for PCS providers.

GTE believes it is extremely important that when the Commission provides regulatory forbearance or streamlining for certain portions of the wireless business, it does so for all. Removing the regulatory burdens for one segment of the wireless industry but not for all creates an uneven playing field that impedes competition. GTE believes the Commission's regulations should not discriminate among carriers employing certain technologies, carriers in certain locations, or carriers of a particular size.

II. CONCLUSION

GTE supports the PCIA Letter and urges the Commission to take action to implement the proposals raised therein. GTE also believes the Commission should act immediately to resolve the other open proceedings considering regulatory forbearance and/or the streamlining of unnecessary regulations. Finally, GTE urges the Commission to ensure that any action taken to streamline or forbear from applying FCC Rules applies equally to all competing services and service providers.

Dated: September 23, 1998

Respectfully submitted,

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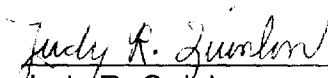
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Certificate of Service

I, Judy R. Quinlan, hereby certify that copies of the foregoing "Comments of GTE" have been mailed by first class United States mail, postage prepaid, on September 23, 1998 to the party listed below:

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